

Section 3 creates a new section of KRS Chapter 507 that would make a person guilty of vehicular homicide, a Class B felony, when:

- He or she causes the death of another; and
- The death results from the person's operation of a motor vehicle, including but not limited to boats and airplanes, under the influence of alcohol, a controlled substance, or other substance which impairs driving ability as described in KRS 189.010.

This Act may be cited as Lily's Law. This Act includes an emergency clause, and would take effect upon passage and approval by the governor or upon it's otherwise becoming law.

The fiscal impact on local governments is expected to be minimal. Standard operating procedures for the administration of breath tests discussed in **Section 1** are not expected to financially affect local law enforcement agencies. Additional holding time requirements in **Section 2** may create some additional costs to jails, however this is expected to be minimal. **Section 3** creates a new section of KRS Chapter 507 which creates a new crime of vehicular homicide, a Class B felony. Class B felony convictions are housed in state prisons and ineligible to serve any portion of their sentence in a local jail. Therefore, there will be no impact to local governments for this new crime.

Part III: Differences to Local Government Mandate Statement from Prior Versions

Part II refers to HB 262 HCS 1. HB 262 HCS 1 makes the following changes to HB 262 as introduced:

- Extends the amount of time in which a person arrested for driving under the influence of alcohol is required to be held before release.
- Creates a new Class B felony for deaths resulting from a person driving under the influence.

Data Source(s): LRC Staff

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